

AGENDA

EXETER TOWN COUNCIL REGULAR MEETING

NOVEMBER 1, 2010
7:00 P.M.

MEETING LOCATION: Town Council Chambers
Exeter Town Hall
675 Ten Rod Road
Exeter, Rhode Island

Items marked with an asterisk () are approved in Agenda Item No. 7,
Consent Agenda, unless removed by a Town Council Member by request.*

- No. 1 PLEDGE OF ALLEGIANCE: Town Council Member
Kenneth L. Fernstrom**
- No. 2 CALL TO ORDER
ROLL CALL**
- No. 3 PUBLIC COMMENT: Comments are not limited to items on this
agenda. However, items not on this agenda will only be heard
and not acted upon by the Town Council unless they are of an
emergency nature. (3-minute time limit per item; 15-minute
maximum time allowed for this agenda item).**
- No. 4 ACKNOWLEDGEMENTS AND ANNOUNCEMENTS**
 - A. FORMER TOWN CLERK, CHERYL FERNSTROM, SWORN IN
AS PRESIDENT OF THE RHODE ISLAND TOWN AND CITY
CLERKS' ASSOCIATION, SEPTEMBER 17, 2010, BY STATE
REPRESENTATIVE DEBORAH RUGGIERO, DISTRICT 74**

- No. 5 APPROVAL OF MINUTES**
- A. REGULAR COUNCIL MEETING, OCTOBER 4, 2010**
 - B. REGULAR COUNCIL MEETING, EXECUTIVE SESSION, OCTOBER 4, 2010**
- No. 6 APPROVAL OF AGENDA ORDER**
- No. 7 CONSENT AGENDA: Consent Agenda Items are accepted in one motion, unless removed at the request of a Town Council Member.**
- A. REYNOLDS CHARITABLE TRUST**
 - B. REPORTS**
 - 1. TREASURER'S/DEPUTY TREASURER'S REPORT**
 - 2. TOWN CLERK'S REPORT**
 - 3. PROBATE REPORT**
 - 4. TAX COLLECTOR'S REPORT**
 - 5. TAX ASSESSOR'S REPORT**
 - 6. DPW REPORT**
 - 7. IT REPORT**
 - 8. TOWN PLANNER'S REPORT**
 - 9. WELFARE DIRECTOR'S REPORT**
 - 10. EMERGENCY MANAGEMENT REPORT**
 - 11. ANIMAL CONTROL REPORT**
 - C. COMMUNICATIONS: See Appendix A attached hereto and incorporated herein.**
- No. 8 VACANCIES AND APPOINTMENTS**
- A. VACANCIES**

1. **PERSONNEL BOARD MEMBERS: Five Members Needed to Replace Prior Board**
2. **CONSERVATION COMMISSION (INACTIVE)**
3. **ECONOMIC DEVELOPMENT COMMISSION (INACTIVE)**
4. **MUNICIPAL FINANCE COMMITTEE MEMBER**
5. **VISION FOR EXETER PROJECT MEMBERS**
6. **OTHER**

B. APPOINTMENTS

C. EXPIRING TERMS

No. 9 PUBLIC HEARINGS

**A. AMENDMENT TO EXETER CODE OF ORDINANCES:
EROSION SEDIMENTATION AND CONTROL ORDINANCE
(Continued from October 4, 2010, Regular Meeting)**

**B. AMENDMENT TO EXETER CODE OF ORDINANCES:
WIND TURBINES
(Continued from October 4, 2010, Regular Meeting)**

**C. LIQUOR LICENSE EXPANSION APPLICATION: BAIRD
BEVERAGES, LLC, D/B/A BLACK WATER TAVERN,
273 NOOSENECK HILL ROAD, EXETER, RHODE ISLAND**

**D. LIQUOR LICENSE RENEWALS: December 1, 2010 to
November 30, 2011, as advertised:**

1. CLASS A (FEE: \$400.00)

- | | |
|--|-------------------------------------|
| <p>a. Exeter Wine & Spirits, Inc. Exeter Package Store Richard J. Fineberg, Applicant 254 Nooseneck Hill Road</p> | <p>Liquor Victualing</p> |
| <p>b. Wolf Rock Wine & Spirits Wolf Rock Wine & Spirits, Inc. Terrence D. & Donna J.C. Stringer, Applicant 804 South County Trail</p> | <p>Liquor</p> |

2. CLASS B VICTUALERS (FEE \$400.00)

- | | |
|--|--|
| a. Ski Pro, Inc. Maxwell deWardener, Applicant 160 Yawgoo Valley Road | Liquor Victualing |
| b. Yawgoo Bakes & Barbeques, Inc. Patricia Murray & Lynn Patty, Applicant 555 Slocum Road | Liquor Victualing |
| c. Exeter Country Club, Inc. Peter Hendrick, Applicant 320 Ten Rod Road | Liquor Victualing |
| d. Blackwater Tavern Baird Beverages, LLC Michael Baird, Applicant 273 Nooseneck Hill Road | Liquor Victualing Dance |
| e. Homestead Restaurant MST, Inc. Mathew Thole, Applicant 750 South County Trail | Liquor Victualing |
| f. Celestial Café, LLC Cheryl A. Zannella, Applicant 567 South County Trail, Unit #1 | Liquor Victualing Dance |
| g. Gashy's Gashy Dowlatshahi, Applicant Plat 72/Block 2/Lot 10 | Liquor Victualing |
| h. Town Pizza of Exeter & Restaurant, Inc. Helen Hantzopoulos, Applicant 250 South County Trail | Liquor Victualing |

3. CLASS B LIMITED (FEE: \$400.00)

- | | |
|---|------------------------------|
| a. Little Country Pizza Little Country Pizza, Inc. Vera Boutros, Applicant 349 Nooseneck Hill Road | Liquor Victualing |
|---|------------------------------|

**b. Effie Filippou's Twisted Pizza
Effie N. Filippou, Applicant
567 South County Trail, Unit #107**

**Liquor
Victualing
Dance**

4. LIQUOR LICENSE CAP (12)

No. 10 NEW BUSINESS

- A. STORM DAMAGE UPDATE**
- B. FEMA REQUIREMENTS AND REPORTING**
- C. PERSONNEL ISSUES/LABOR NEGOTIATIONS**
- D. COUNCIL COMMUNICATIONS**
- E. EXETER JOB CORPS ACADEMY UPDATE**
- F. DEPARTMENT OF PUBLIC WORKS: PORTABLE
HAND-FED BRUSH CHIPPER BIDS**
- G. TDR ORDINANCE**
- H. NOTICE OF NON-COMPLIANCE: PHASE II STORM WATER
REGULATIONS (Communication No. 22)**

No. 11 UNFINISHED BUSINESS*

- A. HISTORIC PRESERVATION**
- B. LADD CENTER ISSUES**
- C. A VISION FOR EXETER: BORDERLANDS VILLAGE
INNOVATION PROJECT**
- D. FEE IN LIEU OF OPEN SPACE FUNDS (\$38,334.24)**
- E. SCHATNER FARMS/BALD HILL PURCHASE & SALE
AGREEMENT/ROUTE 102 PICNIC GROVE**
- F. TOWN HALL SECURITY ISSUES**
- G. NON-UNION EMPLOYEE BENEFITS POLICY**
- H. TOWN POLICIES AND PROCEDURES**

- I. DEERBROOK RECLAMATION**
- J. CHARTER REVISIONS**
- K. EMPLOYEE PENSION: ICMA-RC MANAGEMENT RESOLUTION**
- L. CEMETERY FUND**

No. 12 REPORTS OF OFFICERS, BOARDS, COMMITTEES

- A. TAX COLLECTOR'S REPORT: Tax Collector, Kimberly A. Robitaille***
- B. TAX ASSESSOR'S REPORT: Tax Assessor Penny B. Robertson***
- C. TOWN TREASURER'S REPORT: Town Treasurer Maria Lawler and Deputy Treasurer Joseph Gillis***
- D. TOWN PLANNER'S REPORT: Town Planner David W. Schweid, AICP***
- E. EXETER IT REPORT: NK/Exeter IT Director Jason Albuquerque***
- F. EXETER WELFARE DEPARTMENT REPORT: Director of Public Welfare Sylvia J. Curry***
- G. EMERGENCY MANAGEMENT REPORT: Director of Emergency Management E. Stefan Coutoulakis**
- H. PUBLIC SAFETY/DISASTER PREPAREDNESS COMMITTEE LIAISON'S REPORT: Town Council Vice President Robert E. Johnson, Jr.**
- I. TAX ASSESSOR'S OFFICE LIAISON'S REPORT: Town Council Vice President Robert E. Johnson, Jr.**
- J. PUBLIC WORKS DEPARTMENT LIAISON'S REPORT: Town Council Member William P. Monahan**
- K. TRANSFER STATION LIAISON'S REPORT: Town Council Member William P. Monahan**
- L. ANIMAL CONTROL LIAISON'S REPORT: Town Council Member Kenneth L. Fernstrom**

- M. EXETER JOB CORPS ACADEMY LIAISON'S REPORT:**
Town Council Member Kenneth L. Fernstrom
- N. EXETER-WEST GREENWICH SCHOOL DISTRICT LIAISON'S REPORT:** Town Council Member Arlene B. Hicks
- O. EXETER PUBLIC LIBRARY LIAISON'S REPORT:**
Town Council Member Arlene B. Hicks
- P. TAX COLLECTOR'S OFFICE LIAISON'S REPORT:**
Town Council Member Arlene B. Hicks
- Q. WASHINGTON COUNTY REGIONAL PLANNING COUNCIL REPRESENTATIVE'S REPORT:** Town Council President Calvin A. Ellis
- R. TOWN COUNCIL ASSISTANT'S REPORT:** Town Council Assistant Kenneth G. Findlay
- S. TOWN CLERK'S REPORT:** Town Clerk Lynn M. Hawkins*
- T. SOLICITOR'S REPORT:** James P. Marusak, Esquire,
Gidley Sarli & Marusak

No. 13 BILLS, APPROPRIATIONS, ABATEMENTS

- A. BILL SHEET**
- B. TAX ASSESSOR'S ABATEMENTS**
- C. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS**

No. 14 COMMUNICATIONS: See Appendix A attached hereto and incorporated herein.

No. 15 OTHER BUSINESS

- A. SCHEDULE OF NOVEMBER MEETINGS AND EVENTS**
- B. REYNOLDS CHARITABLE TRUST: Approval of Vouchers and Signing of Documents***
- C. VICTUALING LICENSE RENEWALS**

- 1. Exeter Variety
Kenneth L. Fernstrom, Applicant
250C South County Trail**
- 2. Wolf Rock Country Kitchen
Martin Emeno, Applicant
806 South County Trail**
- 3. Blueberry Hill Store
Clark A. Whitford, Applicant
900 Ten Rod Road**
- 4. Dunkin Donuts
Oak Harbor Donuts, Inc.
Frank Realego, Applicant
561B South County Trail**
- 5. Middle of Nowhere Diner
Nathan Musto, Applicant
222 Nooseneck Hill Road**
- 6. Subway Sandwich Shop
Michael A. Foster, Applicant
567 South County Trail**
- 7. LC Mart
SNF, LLC
Joy Bresette, Applicant
345 Nooseneck Hill Road**
- 8. Yellow River Chinese Restaurant
Bing Liu, Applicant
567 South County Trail, Unit #109**
- 9. Dunkin Donuts
Real Gould Realty, LLC
Frank Realego, Applicant
260 Nooseneck Hill Road**
- 10. Sophie's Coffee & Café
Pamela Machon, Applicant
699 South County Trail**
- 11. Ocean State Auto Auction Corp.
Ocean State Auto Auction Corp., Applicant
10 Industrial Drive**

No. 16 EXECUTIVE SESSION

- A. CURRENT LITIGATION**
- B. LADD CENTER/JOB CORPS**
- C. LABOR UNION/CONTRACT NEGOTIATIONS/ARBITRATION**
- D. PERSONNEL ISSUES**
- E. RICO CORP/DEERBROOK DEVELOPMENT CORP.**
- F. SECURITY ISSUES**
- G. SCHATNER FARMS/BALD HILL NURSERY PURCHASE & SALE AGREEMENT**

No. 17 ADJOURNMENT

POSTED OCTOBER 28, 2010 AT EXETER TOWN HALL, EXETER POST OFFICE, EXETER PUBLIC LIBRARY, AND THE SECRETARY OF STATE'S WEBSITE

The public is welcome to attend any meeting or work session of the Town Council or its committees, boards, or commissions, with the exception of the Juvenile Hearing Board. If communications assistance is needed or any other accommodation to ensure equal participation, please contact the Town Clerk's Office the Friday prior to the meeting at (401) 295-7500 or clerk@town.exeter.ri.us. The Exeter Town Hall and Exeter Library are handicapped accessible.

APPENDIX A

No. 7 CONSENT AGENDA

- 1. 10/04/10 Notice from the North Kingstown Planning Commission regarding an application from M.L. Hawk Realty, LLC, on property at 80 Boston Neck Road**
- 2. 10/04/10 Letter from Allied Waste Services requesting information on the refuse hauler's permits for 2011.**
- 3. 10/04/10 RBS Citizens, NA, letter and investment guidelines form for the Reynolds Charitable Trust DTD, June 12, 1995 account.**
- 4. 10/04/10 Newsletter from Citizens Bank with information on investments.**
- 5. 10/06/10 Letter from the Rhode Island Economic Development Corporation with a copy of legislation on making it easier to do business in Rhode Island.**
- 6. 10/06/10 Invitation from the Rhode Island Department of Labor & Training & U.S. Department of Labor, Wage & Hour Division, Interactive Training/Question & Answer Seminar on State & Federal Prevailing-Rate Contracts October 20, 2010.**
- 7. 10/12/10 Southern Rhode Island Volunteer Newsletter with schedule of events and application.**
- 8. 10/12/10 Rhode Island League of Cities & Towns with an article from Dr. Brian Crowley with his observation of large government.**
- 9. 10/12/10 Letter from the Federal Emergency Management Agency with information on the National Flood Insurance Program.**
- 10. 10/13/10 Letter from Exeter Fire Marshal Susan L. Hawksley regarding Blueberry Hill Store fire alarm system.**
- 11. 10/18/10 Grow Smart RI is offering training to municipal boards on Writing Sound Decisions, registration included.**

12. 10/18/10 Letter from South County Tourism Council reaffirming SCTC's commitment to the business organizations in our region.
13. 10/21/10 Request for payment from American Engineering Inc. for services rendered 4/30/2010 for Black Horse Farm Subdivision.
14. 10/21/10 Letter from the RI State Police granting Exeter-West Greenwich PTA permission to operate games of chance 12/4/10, 1/30/11, & 5/21/11.
15. 10/21/10 Letter from Stephen M. Litwin regarding impact fees charged by the Town.
16. 10/215/10 Notice and application from The Trust for a Safety Enhancement Grant Program.
17. 10/25/10 Letter from Vision Appraisal announcing their merger with Opal Data Technologies.
18. 10/25/10 Graeme Kavanagh from Landmark Dividend is requesting an appointment to discuss our wireless leases.
19. 10/25/10 Notice of a Public Hearing from the North Kingstown Town Council for application from M.L. Hawk Realty LLC and proposed amendments to the North Kingstown Comprehensive Plan.
20. 10/25/10 Copy of check for one hundred dollars to Exeter Food Bank from the Southern NE Truck Pullers Inc. Assoc.
21. 10/26/10 Letter from The Trust regarding Workers' Compensation benefits.
22. 10/27/10 Notice from the Department of Environmental Management on Phase II Storm Water Regulations violations.
23. 10/28/10 USI New England Newsletter on Health Care.
24. 10/28/10 Request from Middletown on compensation for Town or City Solicitors.

- 25. 10/29/10 Letter from Martha McAdam regarding a storm drain situation.**